

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)
F7550(V)

In re Application of: Van Oorschot et al.

Application No.: 10/072,570

Filed: February 8, 2002

For: PROCESS FOR THE PREPARATION OF ONE OR MORE STATINS BY FERMENTATION

The owner*, Unilever Bestfoods, North America, Division of Conopco, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer prior to the grant of U.S. Serial No. 10/072,580, filed February 8, 2002 (now U.S. Patent No. 6,849,281). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for a during such period that it and any patent granted on the noted patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the noted patents, as shortened by any terminal disclaimer filed prior to the grant of these two patents, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

- For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- ☒ The undersigned is an attorney or agent of record.


Signature

1/30/07
Date

Michael P. Aronson, Reg. No. 50,372

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

Attorney D/N: F7590(V)
Serial No.: 10/072,570
Filed: February 8, 2002
Confirmation No.: 1952

LETTER WITH TERMINAL DISCLAIMER

As requested by the Examiner in the above-identified application, Applicants are attaching hereto a Terminal Disclaimer disclaiming that portion of any patent granted for the above-identified application extending beyond the expiration date of **U.S. Serial No. 10/072,580, filed February 8, 2002 (now U.S. Patent No. 6,849,281)**.

Please charge my Deposit Account No. 12-1155 in the amount of \$130.00 to cover the cost of the Terminal Disclaimer. Any deficiency or overpayment should be charged or credited to this deposit account.

Respectfully submitted,



Michael P. Aronson
Registration No. 50,372
Agent for Applicants

RAK:sc
201-894-2412